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Israelis agree to shield spy-case testimony from U.S.

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JERUSALEM — The Israeli government promised three key witnesses in the Pollard spy case yesterday that their testimony before a government inquiry would not be revealed to the United States, where they face possible indictment.

The action came as Israeli radio reported that members of a second inquiry into the matter, this one by a parliamentary committee, were dismayed over "lies, contradictions and attempts at a whitewash" by Israeli officials over the affair.

The bargain announced by the Cabinet secretary yesterday evening appeared to have forestalled the resignation of Yehoshua Rotenstreich, chairman of the Israeli government panel investigating the Pollard affair, who said he would step down if anyone refused to testify. His panel lacks the power to subpoena witnesses and to compel testimony.

But critics of the government's failure to appoint a formal commission of judicial inquiry into the spy scandal said the move was unsatisfactory.

An Israeli official close to Prime Minister Yitzhak Shamir insisted that the guarantees to three witnesses before the commission investigating the Pollard affair simply reiterated secrecy guidelines understood when the committee was established.

"It's a redundant promise because the committee was always bound by secrecy," he said. "Only its recommendation will be published. The conclusion will be very revealing, but the entire procedure will be secret."

The panel is investigating the role of Israelis in recruiting and controlling Jonathan Jay Pollard, a former civilian intelligence analyst for the

U.S. Navy, to steal top-secret documents for Israel. Pollard was sentenced to life in prison by a U.S. court this month.

The Israeli government contends that it did not authorize the affair. It established its own investigation as a device to corroborate that contention, to determine how it could have happened and to mollify U.S. government indignation.

The Rotenstreich panel quickly ran into trouble, however, when three Israelis formerly stationed in the United States and directly involved in the Pollard affair refused to testify before the government commission without firm assurances that their testimony would not be used to incriminate them.

A formal judicial inquiry would have been empowered to give the witnesses guarantees of secrecy, a power the parliamentary committee also has.

The three Israelis are Yosef Yagur and Ilan Ravid, Israeli science attaches in the United States during the Pollard affair, and Irit Erb, a former secretary in the Israeli Embassy in Washington.

Mr. Yagur and Miss Erb were named as unindicted co-conspirators last month when Col. Avi Sella, an Israeli air force officer, was indicted in the United States for reportedly recruiting Pollard.

They were among the first wit-

nesses to be summoned by the Rotenstreich committee. But their lawyer, David Libai, advised them not to testify without assurances that their testimony would remain secret.

That confronted Prime Minister Shamir with a painful choice between authorizing secrecy and appearing to thwart the purpose of the government inquiry — to satisfy Israeli public demands for the whole truth as well as Washington's desire that culprits in the affair be punished.

Mr. Libai told the Associated Press yesterday that "my clients have received what they wanted, and they thank the government. There is now no reason for them not to testify."

The only Cabinet minister who spoke out publicly against yesterday's decision, Energy Minister Moshe Shahal, has been pressing for a full judicial inquiry into the Pollard affair.

"Time will tell if this has not been an additional mistake," Mr. Shahal said.

Yossi Sarid, a left-wing opposition member of the Knesset, said the government guarantee was worthless. Alluding to doubts about whether the government's really had no knowledge of the Pollard operation, Mr. Sarid said, "Those who said, 'We didn't know' in the future will also be able to say, 'We didn't promise.' "